

FILED

AUG 14 2012

N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR :	Administrative Action
REVOCATION OF THE LICENSE OF :	
ELAINE ROHRBACH, R.N. :	
License No. 26NR07581300 :	
TO PRACTICE NURSING IN THE STATE :	FINAL ORDER OF
OF NEW JERSEY :	DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Elaine Rohrbach ("Respondent") is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto.
2. Pursuant to N.J.A.C. 13:37-5.3(b), licensees eligible for renewal in May 2010 are required to complete a minimum of thirty (30) hours of continuing education during the two-year period between June 1, 2008 and May 31, 2010 in order to renew their licenses.
3. Pursuant to N.J.A.C. 13:37-5.3(f), licensees are required to maintain documentation of completion of continuing

education for a period of four years after completion, and shall submit such documentation to the Board upon request.

4. On or about April 14, 2010, Respondent completed and submitted an online biennial license renewal for the period of June 1, 2010 through May 31, 2012, and Respondent's license was then renewed by the Board through May 31, 2012.

5. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2010," referring to the biennial renewal period of June 1, 2008 through May 31, 2010. Respondent answered "no" to the question.

6. By letter dated October 20, 2010, Respondent advised that Board she had not been actively employed as a nurse during the renewal period due to personal issues and she had not completed the continuing education requirements.

7. On or about March 31, 2011, the Board sent a letter to Respondent advising that the matter was being referred to the Board for disciplinary review.

8. On or about December 9, 2011, the Board sent another letter to Respondent requesting that she provide, within thirty (30) days, either proof of successful completion of 30 hours of continuing education credits or submission of her active license.

9. To date, Respondent has not complied with the Board's continuing education requirement.

CONCLUSIONS OF LAW

Respondent failed to demonstrate, to the satisfaction of the Board, completion of the required 30 hours of continuing education for the two-year period of June 1, 2008 through May 31, 2010. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b), which subjects Respondent to sanctions, pursuant to N.J.S.A. 45:1-21(e) and 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice nursing in the State of New Jersey was entered on March 30, 2012 and a copy served on Respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

Respondent replied to the Provisional Order by indicating that she was not practicing nursing at this time, and requesting that the Board change her status to "Inactive Paid." Respondent acknowledged that, if she wants to resume the practice of nursing, she will have to complete her continuing education requirements and pay associated fees. Respondent's status was changed to "Inactive Paid" as of July 12, 2012.

Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary. Based upon Respondent's election to place her license on inactive status, albeit belated, the Board determined that suspension was no longer warranted and amended the proposed discipline.

THEREFORE, it is on this 14th day of Aug., 2012
ORDERED that:

1. Respondent's license to practice nursing is hereby placed on "inactive" status, effective July 12, 2012. Respondent may apply for reactivation of her inactive license at any time and must demonstrate satisfaction of all requirements for reactivation including satisfaction of continuing education.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PLD APRN
Patricia Murphy, PhD, APRN
Board President